

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See the American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|-------------------------------|
| Application Number | 09/942,101 |
| Filing Date | August 30, 2001 |
| First Named Inventor | Yoshi NISHIBAYASHI, et al. |
| Group Art Unit | 2879 |
| Examiner Name | Williams, Joseph L. |
| Attorney Docket Number | 50212-270 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

NOTE: 37 C.F.R. § is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on April 8, 2004
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.1.03(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 500417.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$770.00
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other (additional claims, etc.)
- b. ☐ Check in the amount of \$____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|--------------------------|-----------------------------------|-----------------|
| Name (Print/Type) | Brian K. Seidleck | Registration No. (Attorney/Agent) | 51,321 |
| Signature | <i>Brian K. Seidleck</i> | Date | August 11, 2004 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

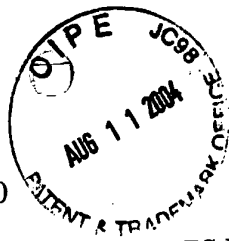
| | |
|-------------------|------|
| Name (Print/Type) | |
| Signature | Date |

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770.00 DA

Docket No.: 50212-270



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Yoshi NISHIBAYASHI, et al.

Serial No.: 09/942,101

Filed: August 30, 2001

: Customer Number: 20277

: Confirmation Number: 6906

: Group Art Unit: 1765

: Examiner: J. Williams

For: METHOD OF MANUFACTURING ELECTRON-EMITTING ELEMENT AND
ELECTRONIC DEVICE

AMENDMENT UNDER 37 C.F.R. §1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following Amendment and Remarks are submitted in response to the Office Action
dated December 11, 2003 pursuant to the provisions of 37 C.F.R. §1.116.